



## INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-486 and 731-TA-1195-1196 (Preliminary)

UTILITY SCALE WIND TOWERS FROM CHINA AND VIETNAM

### DETERMINATIONS

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines,<sup>2</sup> pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. §§ 1671b(a) and 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from China of utility scale wind towers, provided for in subheading 7308.20.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV) and that are alleged to be subsidized by the Government of China. The Commission further determines,<sup>2</sup> pursuant to sections 733(a) of the Act (19 U.S.C. § 1673b(a)), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from Vietnam of utility scale wind towers, provided for in subheading 7308.20.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at LTFV.

### COMMENCEMENT OF FINAL PHASE INVESTIGATIONS

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under section 705 (a) or 735(a) of the Act. Parties that filed entries of appearance in the

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<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> Chairman Deanna Tanner Okun not participating.

preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

## **BACKGROUND**

On December 29, 2011, a petition was filed with the Commission and Commerce by Broadwind Towers, Inc., Manitowoc, WI; DMI Industries, Fargo, ND; Katana Summit LLC, Columbus, NE; and Trinity Structural Towers, Inc., Dallas, TX, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of utility scale wind towers from China and Vietnam. Accordingly, effective December 29, 2011, the Commission instituted antidumping duty investigation Nos. 701-TA-486 and 731-TA-1195-1196 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of January 6, 2012 (77 FR 805). The conference was held in Washington, DC, on January 19, 2012, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on February 13, 2012. The views of the Commission are contained in USITC Publication 4304 (February 2012), entitled *Utility Scale Wind Towers from China and Vietnam: Investigation Nos. 701-TA-486 and 731-TA-1195-1196 (Preliminary)*.

By order of the Commission.

James R. Holbein  
Secretary to the Commission

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